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Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07
L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
USIA-06 MCT-01 IO-13 ACDA-07 EB-08 FAA-00 DOTE-00
/087 W
----------251935Z 107893 /40
R 251552Z MAR 77
FM USMISSION USBERLIN
TO SECSTATE WASHDC 4299
AMEMBASSY BONN
INFO AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION NATO
CINCEUR
FHFRAAB/CINCUSAFE
:CINCUSAREUR

C O N F I D E N T I A L SECTION 1 OF 2 USBERLIN 855

CINCEUR FOR POLAD
CINCUSAFE FOR POLAD
CINCUSAREUR FOR POLAD, OPS, AEAGC-COC & AEAGB-CI

E.O. 11652: GDS
TAGS: PTOV, EAIR, PINT, WB, GW, US, FR, UK
SUBJECT: TRANSPORT OF PRISONER BY AIR

1. SUMMARY: CONVICTED TERRORIST WAS TRANSPORTED UNDER GUARD FROM BERLIN TO STUTTGART ON MARCH 21 BY CHARTERED BRITISH AIR TAXI. FLIGHT WAS ARRANGED BY FRG OFFICIALS UNDER GUISE OF MEDICAL EVACUATION. NO ALLIED OFFICIALS WERE AWARE OF THIS UBTERFUGE NOR FACT THAT FLIGHT WAS TAKING PLACE UNTIL BRITISH PLANE'S ARRIVAL AT TEMPELHOF. BERLIN POLICE LEARNED OF
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FLIGHT ON MARCH 18, BUT THROUGH "CLERICAL ERROR" FAILED TO NOTIFY ALLIES. SENIOR POLICE AND SENAT OFFICIALS HAVE BEEN INFORMED OF ALLIED DISPLEASUREP OVER INCIDENT BUT POINTED OUT THAT FLIGHT WAS ARRANGED FROM FRG WITHOUT PRIOR COORDINATION IN BERLIN. RECOMMEND THIS MATTER BE TAKEN UP IN BONN GROUP.
END SUMMARY.

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2. AROUND MI-MORNING ON MARCH 21, US PUBLIC SAFETY
WAS INFORMED BY BERLIN POLICE THAT A CONVICTED TER-
RORIST, ONE GERHARD BRAUN, WAS TO BE TRANSFERRED TO
STUTTGART AT NOON BY A DRF FLIGHT (DEUTSCHE RETTUNGS-
FLUGWACHT - GERMAN AIR RESCUE SERVICE) FLYING FROM
TEMPELHOF AIRPORT. POLICE WERE ASKED TO CHECK THEIR
INFORMATION SINCE DRF WAS NOT ALLIED ORGANIZATION
AND, THEREFORE, WOULD NOT BE PERMITTED TO LAND AT
TEMPELHOF UNLESS IT WERE EMPLOYING AN ALLIED REGISTERED
AIRCRAFT. SHORTLY THEREAFTER, POLICE REPORTED THAT
FLIGHT ACTUALLY WAS BEING MADE BY BRITISH FIRM, IDS
OF HEATHROW AIRPORT, LONDON, UNDER CONTRACT TO DRF.
(NOTE: BRAUN, WHO WAS RE-ARRESTED LAST WEEK FOLLOWING
RELEASE FROM DETENTION ON THE BASIS OF AN OUTSTANDING
WARRANT FROM HEIDELBERG, WAS TO HAVE BEEN TRANSFERRED
TO STUTTGART BY REGULAR BA FLIGHT ON MARCH 16 BUT
AIRLINE REFUSED TO CARRY HIM.)

3. WE WERE CURIOUS ABOUT HOW A MEDICAL EVACUATION
ORGANIZATION COULD BE ARRANGING FOR TRANSFER OF A
PRISONER. WE TELEPHONED BRITISH MISSION AND LEARNED
THEY KNEW NOTHING ABOUT FLIGHT. MISOFF THEN TELEPHONED
OFFICE OF US CIVIL AIR ATTACHE AT EMBASSY BONN AND
LEARNED THAT FLIGHT, WHICH HAD BEEN IDENTITIED AS MEDEVAC,
WAS APPROVED ON MARCH 17 UPON RECEIPT OF ORAL REQUEST BY
UK CIVIL AIR ATTACHE. BRITISH MISSION OFFICER TELE-
PHONED BACK TO SAY THAT UK CIVIL AIR ATTACHE HAD SUB-
MITTED FLIGHT TO ALLIED COLLEAGUES AND APPROVED IT HIMSELF ON UNDERS
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TANDING IT WAS GENUINE MEDEVAC BERLIN

TO STUTTGART.

4. FOLLOWING RECEIPT OF OAIJE INFORMATION, MISOFF
CONTACTED US CIVIL AIR ATTACHE (CAA) AT TEMPELHOF

AND LEARNED THAT PLANE HAD JUST ARRIVED. CAA
WAS ASKED TO INFORM BRITISH PILOT OF FACTS, AND NOTED
THAT WHILE WE HOPED HE WOULD CARRY OUR FLIGHT, WE
WOULD LEAVE IT TO HIS JUDGMENT. PILOT WAS UNAWARE
OF TRUE NATURE OF HIS MISSION, BUT NEVERTHELESS
DECIDED TO MAKE FLIGHT. PRISONER WAS ACCOMPANIED ON
FLIGHT BY THREE OFFICIALS OF LANDESKRIMINALAMT, (LKA)
BADEN WUERTEMBERG. (ALLIES WERE NOT AWARE OF PRESENCE
IN BERLIN OF THREE LKA OFFICIALS.)

5. WE HAVE BEEN INFORMED BY BERLIN POLICE (STAATSCHUTZ)
AFTERNOON OF MARCH 21 THAT TRANSFER DETAILS, INCLUDING

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INFORMATION ON AIR CARRIER, WAS RECEIVED BY ELECTRICAL
MESSAGE FROM STUTTGART LATE AFTERNOON OF MARCH 18,
AFTER CLOSE OF BUSINESS. DUE TO ACTION BY NEW
EMPLOYEE, WHO FILED REPORT WITHOUT FOLLOWING ESTABLISHED
NOTIFICATION PROCEDURES, US PUBLIC SAFETY AND FR
PUBLIC SAFETY (AS CHAIRMAN) WERE NOT INFORMED UNTIL
MARCH 21. JUDGING FROM OBVIOUS EMBARRASSEMENT OF
VARIOUS POLICE OFFICIALS WITH WHOM THIS MATTER DIS-
CUSSED (INCLUDING ACTING POLICE PRESIDENT AND CHIEF
OF STAATSCHUTZ), BERLIN POLICE WILL TAKE STEPS TO
PREVENT FAILURE OF NOTIFICATION PROCEDURES IN FUTURE.

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L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
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/087 W
----------251938Z 106764 /40
R 251552Z MAR 77
FM USMISSION USBERLIN
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6. MISOFF DISCUSSED MATTER WITH CHIEF OF SENAT
CHANCELLERY AND CHIEF OF CHANCELLERY POLITICAL
SECTION EVENING OF MARCH 21. BOTH OFFICIALS WERE
INCREDULOUS THAT SUCH FLIGHT COULD HAVE BEEN ARRANGED
WITHOUT AT LEAST ONE ALLIED OFFICIAL KNOWING TRUE

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CIRCUMSTANCES. MISOFF REMINDED THEM THAT IN
SEPTEMBER 1976, ALLIES HAD ESTABLISHED THAT PRIOR
NOTIFICATION OF PRISONER TRANSFERS BY AIR WAS TO BE
MADE VIA BOTH SENAT LIAISON AND PUBLIC SAFETY CHANNELS
AND THAT EXISTING JUSTICE CHANNELS WITH LEGAL ATTACHES
COULD ALSO BE USED. SENAT OFFICIALS POINTED OUT
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THAT THERE HAD BEEN NOTIFICATION VIA LIAISON OFFICER
CHANNEL THAT BRAUN WAS TO BE TRANSFERRED VIA BRITISH
AIRWAYS ON MARCH 16; NEITHER WAS AWARE, HOWEVER, THAT
BA HAD REFUSED TO ACCEPT PRISONER ON FLIGHT.
CHANCELLERY CHIEF PROMISED TO LOOK INTO MATTER,
BUT NOTED THAT BASIC PROBLEM SEEMS TO HAVE BEEN THAT
OFFICIALS IN FRG ARRANGED FOR FLIGHT WITHOUT PROPERLY
INFORMING EITHER ALLIED OR BERLIN OFFICIALS OF TRUE
CIRCUMSTANCES.

7. US AIR FORCE COMMANDER AT TEMPELHOF LEARNED THAT
MEDEVAC FLIGHT WAS TO BE USED TO TRANSFER PRISONER
ONLY AFTER PLANE HAD ARRIVED AT AIRPORT AND WAS
SURROUNDED BY BERLIN POLICE. HE WAS UNDERSTANDABLY
UPSET AT POSSIBILITY THAT PRISONER MIGHT ATTEMPT TO
ESCAPE OR THAT SOMEONE MIGHT TRY TO FREE HIM, WITHOUT
AF HAVING MADE APPROPRIATE SECURITY ARRANGEMENTS.

8. WE BELIEVE THAT THIS MATTER SHOULD BE RAISED IN
BONN GROUP WITH REQUEST THAT NO FUTURE ARRANGEMENTS
FOR TRANSFER OF PRISONERS TO OR FROM BERLIN BY AIR
BE MADE WITHOUT PRIOR CONSULTATION WITH THE APPROPRIATE
ALLIED OFFICIALS. GERMAN REP SHOULD BE ADVISED THAT
THIS USE OF MEDEVAC SUBTERFUGE FOR PRISONER TRANSPORT
COULD CAUSE ALLIED CARRIERS TO BE WARY OF ACCEPTING
FUTURE CONTRACTS FROM DRG. GERMANS SHOULD ALSO BE
REMINDED THAT FEDERAL AND STATE POLICE AND SECURITY
OFFICIALS HAVE NO RPT NO EXECUTIVE COMPETENCE IN
BERLIN, AND THAT WHENEVER REPRESENTATIVES OF THESE
ORGANIZATIONS MUST COME HERE TO CONDUCT OPERATIONAL
BUSINESS, THEY ARE FULLY SUBORDINATE TO THE LOCAL
AUTHORITIES. APART FROM CARRYING ON ROUTINE
COORDINATION WITH THEIR BERLIN COLLEAGUES, THE
OPERATIONAL PRESENCE OF FEDERAL OR LOCAL LAW
ENFORCEMENT OFFICIALS IS SUPPOSED TO BE BROUGHT TO
THE ATTENTION OF THE ALLIES IN ADVANCE OF THEIR
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COMING. WE HAD NO OBJECTION TO THE THREE BADEN WUERTEMBERG LKA OFFICERS BOMING TO BERLIN TO ESCORT HERR BRAUN TO STUTTGART, BUT THE POLICE PER INSTRUCTIONS SHOULD HAVE INFORMED US OF THEIR INVOLVEMENT IN THE PRISONER'S TRANSFER.

9. USCOB CONCURS. GEORGE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TRANSPORTATION, TERRORISTS, PRISONERS
Control Number: n/a
Copy: SINGLE
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Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977USBERL00855
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770103-0371
Format: TEL
From: USBERLIN
Handling Restrictions: n/a
Image Path:
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Legacy Key: link1977/newtext/t19770320/aaaaaqvq.tel
Line Count: 231
Litigation Code IDs:
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Litigation History:
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Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
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Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2991067
Secure: OPEN
Status: NATIVE
Subject: TRANSPORT OF PRISONER BY AIR
TAGS: PGOV, EAIR, PINT, WB, GE, US, FR, UK, (BRAUN, GERHARD)
To: STATE BONN
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/2d21d0b1-c288-dd11-92da-001cc4696bcc
Review Markings:
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22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009